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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

THOMAS BARBOSA, DECEASED, by )  
and through his Co-Successors in Interest, )  
LUPITA BARBOSA, Individually, and as )  
mother and Next Friend for K.B. and T.B., )  
minors; ANGELICA MARTINEZ-VERA, )  
individually; and KATHLEEN HOOD, )  
individually, )

Plaintiffs,

vs.

SHASTA COUNTY, a public entity; )  
SHASTA COUNTY SHERIFF- )  
CORONER ERIC MAGRINI, in his )  
individual capacity; SHASTA COUNTY )  
SHERIFF'S SERGEANT JOSE )  
GONZALEZ, in his individual capacity; )  
SHASTA COUNTY SHERIFF'S )  
DEPUTY THOMAS FLEMING, in his )  
individual capacity; and DOES 3 through )  
20, individually, jointly and severally, )

Defendants.

No: 2:20-cv-02298-JAM-DMC

**STIPULATION AND ORDER TO  
MODIFY SCHEDULING ORDER**

All parties, by and through their counsel of record, stipulate and hereby move this court to modify its May 28, 2021, Scheduling Order (Doc. 23) to extend certain discovery and pretrial deadlines. The parties propose the following amended dates and deadlines (or as soon thereafter that the Court is available):

Event	Current date	Proposed Date or Deadline
Discovery Cut-off (fact and expert)	June 10, 2022	July 15, 2022
Expert Disclosures Deadline	April 22, 2022	June 3, 2022
Final Pretrial Conference	October 21, 2022	November 4, 2022
Trial (7-15 days)	December 5, 2022	UNCHANGED

Good cause exists to grant the requested modification:

1. This is a civil rights/wrongful death case involving the shooting death of Thomas Barbosa against Defendants Shasta County, Shasta County Sheriff-Coroner Eric Magrini, Shasta County Sheriff's Sergeant Jose Gonzalez, and Shasta County Sheriff's Deputy Thomas Fleming.

2. The Parties are currently managing complications with setting and completing witness depositions, caused by the COVID-19 Omicron variant surge and its effect on witness availability, counsel's availability, travel considerations, and in-person deposition considerations. The Parties believe that this stipulation to moderately extend discovery and expert disclosure deadlines is necessary to allow for completion of discovery without issue.

3. The Parties are mindful of the Court's limited resources, especially during this pandemic. All counsel will continue to work cooperatively to resolve discovery issues in an orderly fashion and believe that they will complete all necessary discovery within the revised deadlines proposed here.

For the foregoing reasons, the Parties respectfully request that this Court enter an order modifying the scheduling order in this case as set forth above.

1  
2 IT IS SO STIPULATED

3 DATED: February 4, 2022

HADDAD & SHERWIN LLP

4  
5 /s/ Brian Hawkinson

6 BRIAN HAWKINSON

Attorneys for Plaintiff

7  
8 DATED: February 4, 2022

MANNING & KASS

ELLROD, RAMIREZ, TRESTER LLP

9  
10 /s/ Lynn L. Carpenter

11 LYNN L. CARPENTER

Attorneys for Defendants

**ORDER**

Based on the parties' stipulation, and with good cause appearing therefor,

IT IS HEREBY ORDERED that the previous Scheduling Order entered on May 28, 2021 (Doc. 23) is hereby modified, and that the following dates are set:

Event	New Date or Deadline
Discovery Cut-off (fact and expert)	July 15, 2022
Expert Disclosures Deadline	June 3, 2022
Final Pretrial Conference	November 4, 2022, at 10:00 AM

IT IS SO ORDERED.

DATED: February 4, 2022

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE